

BILL NO. R-90-07-34

RESOLUTION NO. R-42-90

A RESOLUTION approving and ratifying the Agreement between the City of Fort Wayne and Consolidated Rail Corporation for the removal of the West State Street Bridge.

WHEREAS, the City of Fort Wayne and Consolidated Rail Corporation have entered into an agreement for the removal of the West State Street Bridge;

WHEREAS, Consolidated Road Corporation has agreed to pay the City of Fort Wayne fifteen thousand dollars (\$15,000.00) upon removal of the West State Street Bridge;

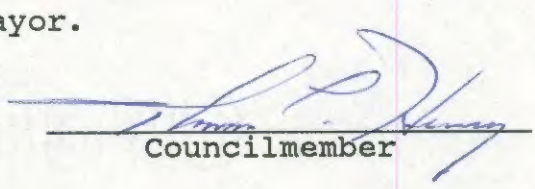
WHEREAS, the City of Fort Wayne has determined that it is in the public interest to remove the West State Street Bridge and restore the roadway;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF FORT WAYNE, INDIANA:


SECTION 1. That the Agreement between the City of Fort Wayne and Consolidated Rail Corporation to remove the West State Street Bridge is hereby approved and ratified.

SECTION 2. That those City Officials whose signatures appear thereon, are authorized to execute said Agreement on behalf of the City of Fort Wayne.

SECTION 2. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

MEMORANDUM

DATE: JULY 14, 1990

TO: CHUCK LAYTON, DIRECTOR - BOARD OF PUBLIC WORKS

1990 JUL 16 AM 9:57

FROM: CARL E. O'NEAL, DIRECTOR - TRANSPORTATION ENGINEERING

SUBJECT: WEST STATE ST. CONRAIL BRIDGE REMOVAL AGREEMENT

Attached is the City-Railroad Agreement which has been executed on Conrail's behalf and is forwarded for similar action by the City of Fort Wayne. This agreement incorporates the terms and conditions under which Conrail will contribute the lump sum amount of \$15,000 as part of the City's project to remove this bridge.

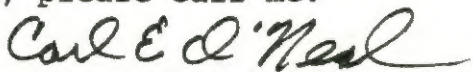
Please return one fully-executed copy of the agreement to me so that I can forward it to Conrail's Philadelphia, PA office together with a copy of the City Council resolution authorizing the signature of the proper city official(s).

The Board of Public Works and Safety will receive bids to remove this bridge on Wednesday, July 18, 1990.

In addition, I met on site with Karl R. Autenrieth, Senior Civil Engineer, Design & Construction, Conrail, Fred Hohl, I.D.O.T., and representatives of Dana Corporation in regard to the West State Street at grade crossing on July 5, 1990. They were very cooperative and are re-designing the railroad crossing to accommodate future project plans to widen West State Street.

Construction of the railroad crossing will not be done until the Spring of 1991. However, they have agreed to make temporary repairs this summer so that West State Street can be resurfaced this year as scheduled.

If you have any questions, please call me.


Carl E. O'Neal, Director
Transportation Engineering

CEO/kas

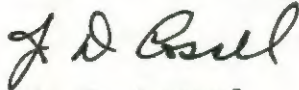
| | |
|-----------------------|-----------|
| cc: Mayor Paul Helmke | M. Gensic |
| D. Lehman | D. Ross |
| M. McAlexander | file (2) |
| J. Stafford | |

Mr. Carl E. O'Neal, Director
July 3, 1990
Page 2

5. The City shall assume maintenance of any remaining parts of the bridge including but not limited to barricades or fencing installed by the City on Conrail's right of way.
6. Conrail shall permit the City to work within Conrail's right of way for the removal of the bridges and for the construction of the necessary slopes once the bridge is removed.

If the above terms are satisfactory, please indicate acceptance on behalf of the City of Fort Wayne by execution of both copies of this letter agreement. Please return one copy to this office.

Very truly yours,



J. D. Cossel
Chief Engineer
Design and Construction

Room 1200

(215) 596-2891

APPROVED BY CITY OF FORT WAYNE:



(Title):

Director, Board of Public Works

DATE: July 18, 1990

Read the first time in full and on motion by Henry, seconded by Delano, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 7-24-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Delano, seconded by Delano, and duly adopted, placed on its passage. PASSED ~~lost~~ by the following vote:

| | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> |
|--------------------|-------------------|-------------------|-------------------|-------------------|
| <u>TOTAL VOTES</u> | <u>7</u> | <u> </u> | <u> </u> | <u>2</u> |
| <u>BRADBURY</u> | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>BURNS</u> | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>EDMONDS</u> | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>GIAQUINTA</u> | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>HENRY</u> | <u> </u> | <u> </u> | <u> </u> | <u>✓</u> |
| <u>LONG</u> | <u> </u> | <u> </u> | <u> </u> | <u>✓</u> |
| <u>REDD</u> | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>SCHMIDT</u> | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| <u>TALARICO</u> | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |

DATED: 8-14-90.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. R-43-90 on the 14th day of August, 1990

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)
Charles S. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16th day of August, 1990 at the hour of 11:30 o'clock PM, E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 20th day of August, 1990, at the hour of 9:45 o'clock PM, E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE RESOLUTION

DEPARTMENT REQUESTING ORDINANCE TRANSPORTATION ENGINEERING

SYNOPSIS OF ORDINANCE APPROVES AND RATIFIES THE AGREEMENT BETWEEN

THE CITY OF FORT WAYNE AND CONSOLIDATED RAIL CORPORATION FOR THE

REMOVAL OF THE WEST STATE STREET BRIDGE.

Q-50-07-34

EFFECT OF PASSAGE WEST STATE STREET BRIDGE CAN BE REMOVED.

EFFECT OF NON-PASSAGE PROJECT CANNOT BE COMPLETED

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. R-90-07-34

REPORT OF THE COMMITTEE ON FINANCE

THOMAS C. HENRY, CHAIRMAN
DONALD J. SCHMIDT, VICE CHAIRMAN
BRADBURY, BURNS, GIAQUINTA

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving and ratifying
the Agreement between the City of Fort Wayne and Consolidated
Rail Corporation for the removal of the West State Street Bridge

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

[Signature: D. Schmidt]

[Signature: Janet H. Bradbury]

[Signature: David Long]

DATED: 8-14-90

Sandra E. Kennedy
City Clerk